

UNITED STATES DISTRICT COURT  
for the  
Southern District of Illinois

UNITED STATES OF AMERICA

Plaintiff(s)

vs.

ZACHARY M. STAUFFER

Defendant(s)

Case Number: 20-CR-30018-SMY

**MOTION TO CONTINUE**

COMES NOW the Defendant, by and through his attorney, Ethan Skaggs, Assistant Federal Public Defender for the Southern District of Illinois, and for his Motion to Continue states as follows:

1. This case is currently scheduled for trial on June 29, 2020 and for final pretrial conference on June 16, 2020.
2. Counsel has discussed the Court's order of May 29, 2020, (Doc. 26) with the Defendant. The undersigned counsel consulted with Mr. Stauffer concerning the prospect of consenting to appearances by video conference. **Mr. Stauffer** elects to assert his right to appear before the court in person and **does not desire to appear by video at this time.**
3. The Defense needs additional time to discuss the discovery and investigate this matter. Counsel cannot adequately and effectively represent the Defendant without additional time to consult with his client. Additionally the parties are engaging in plea negotiations in an attempt to resolve this matter short of trial. Plea negotiations cannot be completed by the current settings.

4. Counsel has been in contact with Assistant United States Attorney Casey Bloodworth, who is prosecuting this matter for the government, and has been informed the government does not object to this motion.
5. While the matter has been continued due to the COVID-19 pandemic, the Defendant has not previously requested a continuance of the trial/pretrial conference settings in this matter. It should further be noted that Counsel entered his appearance in this matter on February 20, 2020. Shortly thereafter, Counsel met with the Defendant at the facility in which he has been detained. Because of the ongoing public health crisis, approximately a month after Counsel entered in this matter, directives were issued to stop in-person visits to detention facilities. The Defendant is housed in a facility in which there are no “iPad” visits. Given that the only available communications between Counsel and the Defendant are to make telephone calls or send written correspondence, there are difficulties in moving the matter forward at what would be considered a normal pace. It is notable that the Federal courthouses in this District remain closed until July 5, 2020, the undersigned counsel’s office is currently closed, and the State of Illinois is in the beginning of phase 3 of a plan to reopen the state after the statewide stay-at-home order and shutdown.
6. In light of the above and the current public health crisis, the interests of justice in this matter would appear to be best served by a continuance of the trial setting and further no party will be prejudiced if the trial setting is continued.

WHEREFORE, Defendant prays that this Honorable Court grant his Motion to Continue and

continue the trial approximately 60 days or whatever other period of time best comports with this Court's schedule in other matters.

Respectfully submitted,

/s/ Ethan Skaggs

ETHAN SKAGGS  
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ATTORNEY FOR DEFENDANT

**CERTIFICATE OF SERVICE**

The undersigned attorney hereby certifies that he has caused a true and correct copy of the foregoing to be served upon the assigned Assistant United States Attorney, Southern District of Illinois, via electronic filing with the Clerk of the Court using the CM/ECF system on June 12, 2020.

/s/ Ethan Skaggs